

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA**

)

**vs.**

)

**CRIMINAL NO. 07-00327-KD**

)

**BOBBY LAW, JR.,**

)

**Defendant.**

**ORDER**

This cause came before the Court on December 16, 2008, on a hearing in response to the results of Defendant Bobby Law's psychological evaluation conducted at the Federal Bureau of Prisons/Federal Medical Center in Butner, North Carolina. Present at the hearing were Latisha Colvin, Esq., counsel for the Defendant and AUSA Michelle O'Brien.<sup>1</sup>

Prior to the hearing, the Court and the parties received a copy of an updated forensic report from Butner, (dated December 10, 2008) wherein the medical examiners opine that the Defendant "is suffering from a mental disease or defect rendering him unable to assist properly in his own defense." The report further opines that the examiners believe that the Defendant's competency may be restored and are requesting an additional commitment period of 120 days. No objections to the report were made by counsel for the Defendant or the AUSA and the findings set out in the report were adopted as the findings of the Court.

The Court finds that there is a substantial probability that with the additional period of time of hospitalization and treatment as recommended by his physicians at Butner, Defendant will attain the capacity to permit the proceedings to go forward. Upon consideration, it is ordered that the Defendant remain in the custody of the Attorney General pursuant to 18 U.S.C.

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<sup>1</sup>Ms. Colvin, counsel for Defendant, waived her client's presence at the hearing.

§ 4241(d) for an additional period of time not to exceed four months.

When the Director of the facility in which Defendant is hospitalized pursuant to this order determines that Defendant has recovered to such an extent that he is able to assist properly in his defense, the Director shall promptly file a certificate to that affect with the Clerk of this Court. The Clerk shall send a copy of the certificate to Defendant's Counsel and to the attorney for the Government. Thereafter, this Court will schedule a hearing pursuant to the provisions of section 4247(d) to determine the competency of the Defendant. If, after the hearing, the Court finds by a preponderance of the evidence that Defendant has recovered to such an extent that he is able to assist properly in his defense, the Court will order Defendant to be transferred from the facility in which he is hospitalized and will set this action for trial or other disposition.

The **United States Marshal** is **ORDERED** notify the Clerk of Court immediately upon Defendant's return to the Southern District of Alabama.

**DONE** and **ORDERED** this 17<sup>th</sup> day of December 2008.

/s/ Kristi K. DuBose

**KRISTI K. DuBOSE**

**UNITED STATES DISTRICT JUDGE**